

1 Adrian R. Bacon  
2 **The Law Offices of Todd M. Friedman, P.C.**  
3 21031 Ventura Blvd, Ste. 340  
4 Woodland Hills, CA 91364  
5 Tele: (323) 306-4234  
6 abacon@toddflaw.com

7 Alex D. Kruzyk\* (to seek admission *pro hac vice*)  
8 akruzyk@pkglegal.com  
9 **PARDELL, KRUZYK & GIRIBALDO, PLLC**  
10 7500 Rialto Blvd. Suite 1-250  
11 Austin, Texas 78735  
12 Tele: (561) 726-8444

13 *Counsel for Plaintiff and the proposed class*

14  
15 UNITED STATES DISTRICT COURT  
16 CENTRAL DISTRICT OF CALIFORNIA

17 Kevin Johnson, *on behalf of himself and all others similarly situated,* )  
18 Plaintiff, ) Case No.  
19 vs. )  
20 ) CLASS ACTION COMPLAINT  
21 )  
22 ) JURY TRIAL DEMANDED  
23 Defendants. )

## **Nature of this Action**

1. Kevin Johnson (“Plaintiff”), individually and on behalf of all others similarly situated, brings this class action against Serve All, Help All, Inc. d/b/a Nonprofit Alliance of Consumer Advocates (“SAHA”), Faith First Bancorp, Inc. (“FFB”), and CDLG, PC d/b/a Consumer Defense Law Group (“CDLG”) (together, “Defendants”) under the Telephone Consumer Protection Act (“TCPA”).

2. Upon information and good faith belief, SAHA routinely violates 47 U.S.C. § 227(b)(1)(A)(iii) by using an artificial or prerecorded voice to place non-emergency calls to telephone numbers assigned to a cellular telephone service without prior express consent, in that SAHA places autodialed and prerecorded or artificial voice calls to cellular telephone numbers absent prior express consent.

3. Specifically, SAHA routinely delivers prerecorded messages to suspected homeowners who SAHA suspects are at risk of foreclosure in a purported effort to provide foreclosure relief services.

4. Upon information and good faith belief, SAHA instead uses that pretense to funnel those consumers to various for-profit enterprises, including law firms, banks, and real estate agents, including CDLG and FFB.

5. Additionally, upon information and good faith belief, CDLG and FFB are aware of how SAHA procures consumer clients for their businesses, approves of those methods, and works with SAHA to procure additional consumer leads for their own pecuniary benefit.

## Parties

6. Plaintiff is a natural person who at all relevant times resided in Petaluma, California.

7. SAHA is a California corporation that purports to be a non-profit charitable organization that focuses on both (1) assisting consumers with home ownership; and (2) developing a university in India.

8. SAHA also does business as the “Nonprofit Alliance of Consumer Advocates,” which is headquartered in Costa Mesa, California.

9. CDLG is a California professional corporation that operates as a law firm headquartered in Costa Mesa, California.

10. FFB is a California corporation headquartered in Costa Mesa, California.

## **Jurisdiction and Venue**

11. This Court has subject matter jurisdiction under 47 U.S.C. § 227(b)(1)(a)(iii), and 28 U.S.C. § 1331.

12. Venue is proper before this Court under 28 U.S.C. § 1391(b)(1) as both Plaintiff and all Defendants are based in this district and a significant portion of the events giving rise to this action occurred in this district.

13. In particular, SAHA directed its solicitation calls to Plaintiff's telephone in this district, and Plaintiff received SAHA's solicitation calls in this district.

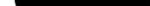
## **Factual Allegations**

14. Plaintiff is, and has been at all times relevant to this action, the regular and sole user of his cellular telephone number—(707) 564-XXXX.

15. Beginning in December of 2023, Plaintiff received at least four calls and prerecorded voicemail messages to his cellular telephone from (844) 622-2242.

16. Each of these voicemail messages identified a potential foreclosure and offered SAHA's services regarding that pending foreclosure.

17. For example, Plaintiff received the following voicemail messages from SAHA:

1 9:20  9:15 

2 < Voicemail < Voicemail

3

4 ● +1 (844) 622-2243    
5 unknown December 12, 2023 at 3:12PM 0:01 -0:43

6    

4 ● +1 (844) 622-2243    
5 unknown December 18, 2023 at 6:57PM 0:00 -0:42

6    

7  
8  
9  
10  
11

**Transcription**

" And can legally stop the trustee sale for the home at 3 0 9 12th St. set to sell on March 4 We can force your lender to stop the sale while they review are the loss mitigation package at zero cost to you But you must call us today Press zero on your phone now to speak with a mortgage payment relief volunteer or call us at 8 4 4- 6 2 2- 2 2 4 3 These free federal funds are limited, and are awarded on a first come first serve basis Again, press zero to speak to a volunteer or please press two to not be called again..."

**Transcription**

"The home at 309 12th St. set to sell on March 4 we can force your lender to stop the sale while they review are the loss mitigation package at zero cost to you but you must call us today press zero on your phone now to speak with a mortgage payment relief volunteer or call us at **844-622-2243** these free federal funds are limited and are awarded on a first come first serve basis again press zero to speak to a volunteer or please press two to not be called again..."

Was this transcription **useful** or **not useful**?

\_\_\_\_\_

+1 (844) 622-2243

22 "Sale for the home at 309 12th St. said to sell  
23 the sale while they review are the loss  
24 mitigation package at zero cost to you but  
25 you must call us today press zero on your  
phone now to speak with a mortgage  
payment relief volunteer or call us at  
**844-622-2243** these free federal funds are  
limited and are awarded on a first come first  
serve basis again press zero to speak to a  
volunteer or please press two to not be  
called again."

Was this transcription **useful** or **not useful**?

28      Favorites Recents Contacts Keypad Voicemail

1 18. A sample of one of these voicemail messages can be found [HERE](#).

2 19. Plaintiff did not need any foreclosure assistance for his, or any, home,  
3 and he did not request any foreclosure-related services from SAHA.

4 20. Plaintiff did not know who SAHA is, nor did Plaintiff give SAHA his  
5 prior express consent to receive artificial or prerecorded voice messages to his  
6 cellular telephone number.

7 21. In response to these unsolicited calls, *many* consumers have reported  
8 that SAHA's non-profit, charitable representations give way to a referral to  
9 predatory business practices involving referrals to FFB or CDLG, including:

10 AN Guest-2227335

11 **Scammers**

12 Oct 14, 2020  1.0

13 Scam business fake Christian's prey on people in foreclosure. Tony Cara Peter.Newson attorneys prey on people  
14 to get money for themselves. Pepe Abad fake christian he is the lead of this organization. It is a scam they get  
15 rich off your money. Report the to the FBI if you come in contact with them.

16 **Comment**

 4

17 Nonprofit Alliance of Consumer  
18 Advocates

 Write a review

1503 S Coast Dr #100, Costa Mesa, CA

19 4.4  177 reviews



20  VILL GUDEN

Local Guide · 11 reviews · 1 photo

 11 months ago

21 Total fraud. The non profit part its only a cover for taking your money using other business like  
22 Consumer Defense law group. the main goal of non profit part is to talk the client into litigation and  
spend upwards of 20k.

23  4

24 **Response from the owner** 7 months ago

25 We're sorry to hear about your negative experience. We take customer feedback seriously and would  
like to address your concerns. Please reach out to us directly so we can resolve the issue.

26 

julio bustamante

Local Guide · 32 reviews · 15 photos

 2 years ago

27 These people are crooks! They will force illegal practices on you and charge you all theses ridiculous  
fees if you're not careful. DO NOT DO BUSINESS WOTH THESE PEOPLE!!!!

28  1

1

## 2 Nonprofit Alliance of Consumer 3 Advocates

 Write a review

4 1503 S Coast Dr #100, Costa Mesa, CA

5 **4.4**  177 reviews 

6  **Margarita M Corona**  
7 Local Guide · 15 reviews  
8  a year ago  
9 Please DONOT GO To THESE PEOPLE!  
10 Please do not trust these people!  
11 These people solicited my mother promising they were going to save her house.  
12 Once they had a her information, they said they could not help her but they could refer her to Consumer  
13 Defense Law Group. They would save her home.  
14 Once she was referred to Consumer Law Group,  
15 They took her money for representation and attorney fees and never called her back. They failed to  
16 appear in court once my mom's house had been sold. They never returned her calls, even when the judge  
17 at the court dates called them. They told her to sign papers for representation. Then they submitted  
18 under Attorney Anthony Caras name bogus petitions that he failed to support, represent or litigate. They  
19 grossly misadvised her to not resubmit a bankruptcy after the first one was missing documents. She  
20 followed their instructions and Shortly there after her home was sold and sold again and again. All  
21 without my mom's knowledge. Then immediately she was served with eviction paper. They never  
22 returned her money. She was left with nothing.  
23  
24 Trust them was the worst mistake my mom did. They cost her home. She is a senior. Shame on you  
25 Anthony Cara, Consumer Defense and Consumer Assistance. They have done this to many families  
26 before. Look them up on the better business bureau. They have previous complaints for similar wrong  
27 doing to other families. Please do your research, call the California Bar Association.  
28  
I know how scary losing your home is. I didn't know there where insidious vultures like these groups.  
Please beware. Be careful who you ask for help from, who you tell. Property in California is very sought  
after. People will do anything to steal it from the elderly and disadvantaged.  
Please do not use them! Please call the California Bar Association for referral to reputable  
representation.



Kelly B.  
Van Nuys, Los Angeles,  
CA  
0 friends  
3 reviews

★★★★★ 7/4/2021

There are SO many reasons to stay away from these people, too many to list. I had such a horrible experience, I can't even talk about it. If I could find the money to sue them, I would, immediately. I believe what they did was highly illegal and there was nothing I could do to stop them. I would have lost my house, but what I ended up with could cost me everything anyway. They structured a loan to save my house that I couldn't afford. I was charged over \$50,000 in closing costs with tens of thousands in fees going into their pockets from fees that no nonprofit organization can legally charge, but they did, and they didn't even try to hide it. They call themselves a Christian Non Profit organization. There is NOTHING Christian about this group of Godless people. It's the opposite. The Antichrist is doing great work here. Stay far away from these ruthless, thieving impersonators, they will not help you. They will lie to you like it's the most natural thing to do in the world. You will end up in a much worse situation, in twice as much debt and in the end, they will be the ones taking your home.



Comment from Sindey A. of Nonprofit Alliance of Consumer Advocates  
Business Manager

10/4/2021 · This client is making a misstatement and is very untrue. Our Nonprofit Clinic did not collect any...  
[Read more](#)



Lanie L.  
South Los Angeles, Los  
Angeles, CA  
0 friends  
4 reviews  
1 photo

★★★★★ 7/10/2019

This firm is 100% fraud / Scam all the customers , they are affiliate with Consumer Defense Law Group , [Nacalaw.org](#) , Stay away , they take peoples money and don't do anything than selling lie to them , we have paid them \$2000 after two weeks they did not even return our calls , no retainer , nothing , just taking money (deposit or cashiers check or cash ) they don't even accept credit/debit card because their operation is fraud, stay away from this firm , Jim Baker is the sales man in [Nacalaw.org](#) and Consumer Defense Law Group, all of them work hand on hand with Ursula G Barrios #256378 & Anthony Paul Cara #170720 (two scam artist) to scam all the homeowners that they are in distress situation , they know what to say to take peoples money and not do anything for them, Please stay away from this SCAM / FRAUD operation , Investigation has been open from FBI and CA STATE BAR in Anthony Paul Cara #170720 & Ursula G Barrios #256378 and all their affiliates , STAY AWAY , FRAUD

22. Moreover, SAHA acknowledges that its referral of consumers to for-profit entities is part of its operational model.

23. Specifically, in another TCPA action filed against SAHA, SAHA's representative stated in a sworn declaration that it refers consumers to FFB for mortgage refinances and "real estate services," and that it would also send consumers to specific law firms—such as CDLG—for paid representation. *See Exhibit A.*

24. Moreover, a plethora of consumer complaints tie FBB, SAHA, and CDLG together, with numerous consumers suggesting that SAHA funnels consumers to FBB for loans or real estate services, and CDLG for legal representation related to those matters, all of which resulted in "scam" or "fraud" allegations against those entities and the persons running them.<sup>1</sup>

25. Additionally, in responding to some negative consumer reviews,

---

28<sup>1</sup> See <https://consumer-defense-law-group.pissedconsumer.com/complaints/RT-P.html> (last visited May 22, 2024).

1 SAHA indicated that it had the ability to “contact Consumer Defense Law Group  
2 on her behalf and request a full re-imbursement of whatever legal fee she may have  
3 paid the Attorney we recommended to her.”<sup>2</sup>

4 26. Lastly, upon information and good faith belief, FFB is owned by a  
5 close relative of the owner of SAHA; specifically, Elizabeth Poe is the sister of  
6 Pepi Abad Vega, who is both a “senior financial advisor” for FBB and a “loss  
7 mitigation and mortgage director” for SAHA.

8 27. Upon information and belief, FFB and CDLG knew or should have  
9 known that SAHA markets “foreclosure assistance” services to consumers via  
10 prerecorded voice messages for the benefit of Defendants.

11 28. As a result, upon information and good faith belief, Defendants all act  
12 in concert in marketing “foreclosure assistance” services to consumers via  
13 prerecorded voice messages delivered by SAHA, and FFB and CDLG each share  
14 an agent/principal relationship with SAHA with respect to SAHA’s marketing  
15 efforts, which include unsolicited calling of consumers using prerecorded voice  
16 calls.

17 29. Moreover, by accepting referrals from SAHA from consumers that  
18 they knew were contacted by unsolicited prerecorded voice messages, FFB and  
19 CDLG ratified SAHA’s conduct.

20 30. Plaintiff is not, and was not, interested in Defendants’ services or  
21 marketing.

22 31. Plaintiff did not give Defendants prior express consent to place calls  
23 to his cellular telephone number by using an artificial or prerecorded voice.

24 32. Upon information and belief, and in light of the nature and character  
25 of the voicemail messages at issue, as well as the nature and character of the  
26 delivery of repeated identical audio messages, SAHA used a prerecorded voice to

---

28 2 <https://www.yelp.com/biz/nonprofit-alliance-of-consumer-advocates-costa-mesa?start=10&rr=1> (last visited May 22, 2024).

1 deliver calls to Plaintiff's cellular telephone number.

2 33. Upon information and belief, SAHA placed its calls to Plaintiff's  
3 cellular telephone number for non-emergency purposes.

4 34. Upon information and belief, SAHA placed its calls to Plaintiff's  
5 cellular telephone number voluntarily.

6 35. Upon information and belief, SAHA placed its calls to Plaintiff's  
7 cellular telephone number under its own free will.

8 36. Upon information and belief, SAHA had knowledge that it was using  
9 an artificial or prerecorded voice to place its calls to Plaintiff's cellular telephone  
10 number.

11 37. Upon information and belief, SAHA intended to use an artificial or  
12 prerecorded voice to place its calls to Plaintiff's cellular telephone number.

13 38. The purpose of the solicitation calls at issue was to advertise and to  
14 market Defendants' businesses or services.

15 39. Plaintiff suffered actual harm as a result of the calls at issue in that he  
16 suffered an invasion of privacy, an intrusion into his life, and a private nuisance.

### 17 **Class Action Allegations**

18 40. Plaintiff brings this action under Federal Rule of Civil Procedure 23,  
19 and as a representative of the following class (the "Class"):

20 All persons and entities throughout the United States (1) to which Serve  
21 All, Help All, Inc. placed, or caused to be placed, a call (2) directed to  
22 a number assigned to a cellular telephone service, (3) in connection  
23 with which Serve All, Help All, Inc. used an artificial or prerecorded  
24 voice, (4) within four years preceding the date of this complaint through  
the date of class certification.

25 41. Excluded from the Class are Defendants, Defendants' officers and  
26 directors, members of their immediate families and their legal representatives,  
27 heirs, successors, or assigns, and any entity in which Defendants have or had a  
28 controlling interest.

1       42. Upon information and belief, the members of the Class are so  
2 numerous that joinder of all of them is impracticable.

3       43. The exact number of members of the Class is unknown to Plaintiff at  
4 this time, and can be determined only through appropriate discovery.

5       44. The members of the Class are ascertainable because the Class is  
6 defined by reference to objective criteria.

7       45. In addition, the members of the Class are identifiable in that, upon  
8 information and belief, their telephone numbers, names, and addresses can be  
9 identified in business records maintained by Defendants, and by third parties,  
10 including members of the Class.

11       46. Plaintiff's claims are typical of the claims of the members of the  
12 Class.

13       47. As it did for all members of the Class, SAHA used an artificial or  
14 prerecorded voice in the calls SAHA placed to Plaintiff's cellular telephone  
15 number.

16       48. Plaintiff's claims, and the claims of the members of the Class,  
17 originate from the same conduct, practice, and procedure on the part of Defendants.

18       49. Plaintiff's claims are based on the same theories as are the claims of  
19 the members of the Class.

20       50. Plaintiff suffered the same injuries as the members of the Class.

21       51. Plaintiff will fairly and adequately protect the interests of the  
22 members of the Class.

23       52. Plaintiff's interests in this matter are not directly or irrevocably  
24 antagonistic to the interests of the members of the Class.

25       53. Plaintiff will vigorously pursue the claims of the members of the  
26 Class.

27       54. Plaintiff has retained counsel experienced and competent in class  
28 action litigation.

1 55. Plaintiff's counsel will vigorously pursue this matter.

2 56. Plaintiff's counsel will assert, protect, and otherwise represent the  
3 members of the Class.

4 57. The questions of law and fact common to the members of the Class  
5 predominate over questions that may affect individual members of the Class.

6 58. Issues of law and fact common to all members of the Class include:

7 a. SAHA's use of an artificial or prerecorded voice in the calls it  
8 placed to cellular telephone numbers;

9 b. SAHA's conduct, patterns, and practices as it pertains to  
10 delivering advertisement and telemarketing solicitation calls;

11 c. The extent of the relationship between SAHA and CDLG, as  
12 well as SAHA and FFB;

13 d. CDLG's and FFB's liability for SAHA's conduct;

14 e. Whether CDLG and FFB share an agent/principal relationship  
15 with SAHA;

16 f. Defendants' violations of the TCPA; and

17 g. The availability of statutory penalties.

18 59. A class action is superior to all other available methods for the fair  
19 and efficient adjudication of this matter.

20 60. If brought and prosecuted individually, the claims of the members of  
21 the Class would require proof of the same material and substantive facts.

22 61. The pursuit of separate actions by individual members of the Class  
23 would, as a practical matter, be dispositive of the interests of other members of the  
24 Class, and could substantially impair or impede their ability to protect their  
25 interests.

26 62. The pursuit of separate actions by individual members of the Class  
27 could create a risk of inconsistent or varying adjudications, which might establish  
28 incompatible standards of conduct for Defendants.

63. These varying adjudications and incompatible standards of conduct, in connection with presentation of the same essential facts, proof, and legal theories, could also create and allow the existence of inconsistent and incompatible rights within the Class.

64. The damages suffered by the individual member of the Class may be relatively small, thus, the expense and burden to litigate each of their claims individually make it difficult for the members of the Class to redress the wrongs done to them.

65. The pursuit of Plaintiff's claims, and the claims of the members of the Class, in one forum will achieve efficiency and promote judicial economy.

66. There will be no extraordinary difficulty in the management of this action as a class action.

67. Defendants acted or refused to act on grounds generally applicable to the members of the Class, making final declaratory or injunctive relief appropriate.

## Count I

## **Violation of 47 U.S.C. § 227(b)(1)(A)(iii)**

## On behalf of the Class

68. Plaintiff repeats and re-alleges each and every factual allegation contained in paragraphs 1-67.

69. SAHA violated 47 U.S.C. § 227(b)(1)(A)(iii) by placing, or causing another to place, artificial or prerecorded voice messages to Plaintiff's cellular telephone number, without prior express consent.

70. CDGL and FFB are also liable for SAHA's violations of the TCPA, because (1) SAHA, CDGL, and FFB shared an agent/principal relationship with respect to SAHA's marketing campaign; (2) CDGL and FFB ratified SAHA's conduct by accepting exclusive referrals from SAHA that they knew were a product of SAHA's outbound telemarketing campaign.

71. As a result of Defendants' violations of 47 U.S.C. § 227(b)(1)(A)(iii),

1 Plaintiff, and the members of the Class, are entitled to damages in an amount to be  
2 proven at trial.

3 **Prayer for Relief**

4 WHEREFORE, Plaintiff prays for relief and judgment, as follows:

- 5 a. Determining that this action is a proper class action;
- 6 b. Designating Plaintiff as a class representative of the proposed  
7 Class under Federal Rule of Civil Procedure 23;
- 8 c. Designating Plaintiff's counsel as class counsel under Federal  
9 Rule of Civil Procedure 23;
- 10 d. Adjudging and declaring that Defendants violated 47 U.S.C. §  
11 227(b)(1)(A)(iii);
- 12 e. Enjoining Defendants from continuing their violative behavior,  
13 including placing telephone calls with the use of an artificial or  
14 prerecorded voice absent prior express consent;
- 15 f. Awarding Plaintiff and the members of the Class damages  
16 under 47 U.S.C. § 227(b)(3)(B);
- 17 g. Awarding Plaintiff and the members of the Class treble  
18 damages under 47 U.S.C. § 227(b)(3)(C);
- 19 h. Awarding Plaintiff and the members of the Class reasonable  
20 attorneys' fees, costs, and expenses under Rule 23 of the  
21 Federal Rules of Civil Procedure;
- 22 i. Awarding Plaintiff and the members of the Class any pre-  
23 judgment and post-judgment interest as may be allowed under  
24 the law; and
- 25 j. Awarding such other and further relief as the Court may deem  
26 just and proper.

**DEMAND FOR TRIAL BY JURY**

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff demands a trial by jury on all issues so triable.

Date: May 23, 2024

By: /s/ Adrian R. Bacon

Adrian R. Bacon  
**The Law Offices of Todd M. Friedman,  
P.C.**  
21031 Ventura Blvd, Ste. 340  
Woodland Hills, CA 91364  
Tele: (323) 306-4234  
[abacon@toddflaw.com](mailto:abacon@toddflaw.com)

Alex D. Kruzyk\* (to seek admission *pro hac vice*)  
akruzyk@pkglegal.com

**PARDELL, KRUZYK & GIRIBALDO, PLLC**  
7500 Rialto Blvd. Suite 1-250  
Austin, Texas 78735  
Tele: (561) 726-8444  
[akruzyk@pk/legal.com](mailto:akruzyk@pk/legal.com)

*Counsel for Plaintiff and the proposed classes*